

POTPOURRI NOTICE

Louisiana Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Revision 7 of the Title V Permit General Conditions 40 CFR Part 70, LAC 33:III.507 (0012Pot1)

The Louisiana Department of Environmental Quality (LDEQ) has revised the Part 70 General Conditions included in every Title V permit. Approximately five hundred Title V permits were issued in Louisiana prior to the most recent set of general conditions. Through discussions with trade groups representing various Louisiana industries, several permittees holding Title V permits with older versions of these conditions have expressed interest in incorporating the most recent set into their permits.

Because LDEQ anticipates that other permittees may also be interested, an abbreviated Application for Reopening a Part 70 Permit Pursuant to LAC 33:III.529.A has been made available for this purpose. Interested parties should complete this application and submit it, along with the appropriate fee, to the address given at the end of this notice. The fee has been determined to be the lesser of \$1000.00 or the minor modification fee as specified in LAC 33:III.Chapter 2.

Revisions to the Part 70 General Conditions have been approved by the U.S. Environmental Protection Agency (EPA) and are discussed below.

Per 40 CFR 70.6(a)(3)(iii), the federal air quality operating permits program requires that facilities operating under a Part 70 Operating Permit submit prompt reports of all permit deviations. Per §70.6(a)(3)(iii)(B), the permitting authority must “define ‘prompt’ in relation to the degree and type of deviation likely to occur and the applicable requirements.” In implementing the operating permits program (LAC 33:III.507), LDEQ defined “prompt” through Part 70 General Condition R. Permits issued prior to the incorporation of the most recent conditions contain a different General Condition R, which defines “prompt” without regard “to the degree and type of deviation likely to occur” as required by Part 70. The revised language outlines a specific reporting timeframe with respect to the severity and/or length of the deviation, and makes this condition consistent with the written reporting requirements of the Louisiana Right-to-Know Law and LAC 33:I.Chapter 39, “Notification Regulations and Procedures for Unauthorized Discharges.”

Additionally, Part 70 General Condition N was modified to more closely parallel 40 CFR 70.6(g)(3) and LAC 33:III.507.J.2. The requirement to “notify the permitting authority within two working days of the time when emissions limitations were exceeded due to the occurrence of an upset” was conditioned to be necessary only “if the permittee seeks to reserve a claim of affirmative defense as provided in LAC 33:III.507.J.2.” Per §70.6(g)(5) and LAC 33:III.507.J.4, language was also added to clarify that the submittal shall be in addition to notification or reporting requirements of “any emergency or upset provisions in any applicable regulation.”

Finally, Part 70 General Condition V will be deleted, as the Clean-fuel Fleet Program (LAC 33:III.Chapter 19, Subchapter B) was repealed March 30, 2000.

The application and most recent set of Part 70 General Conditions have been made available to download on the department's website, <http://www.deq.state.la.us>.

Per LAC 33:III.529.A.1.b, the requested reopening and subsequent incorporation of the most recent set of general conditions will allow owners and/or operators to streamline their various reporting obligations regarding permit deviations. The reopening should not place an undue burden on the permitting authority. The new reporting system will benefit LDEQ by allowing the agency to prioritize deviations to facilitate appropriate responses, and the quarterly reporting component will allow less significant deviations to be assessed in a single report.

Applications are due no later than 4:30 p.m. CST on Friday, March 2, 2001, and should be submitted to Bliss M. Higgins, Assistant Secretary, Office of Environmental Services, Box 82135, Baton Rouge, LA 70884-2135; or hand-delivered to 7290 Bluebonnet Boulevard, Second Floor, Baton Rouge, LA 70810.

James H. Brent, Ph.D.
Assistant Secretary

Louisiana Application for Reopening a Part 70 Permit Pursuant to LAC 33:III.529.A

**Incorporation of Revision 7 of the 40 CFR Part 70 and
Louisiana Air Permit General Conditions**

A. Facility Information

Company Name	
Parent Company (if Company Name given above is a division)	
Plant name (if any)	
Nearest town	Parish where located
CDS Number	Agency Interest (AI) Number
Affected Permit Number(s)	

B. Proposed Action

Pursuant to LAC 33:III.529.A, the permittee hereby requests that the Louisiana Department of Environmental Quality reopen and revise the referenced facility's Part 70 Operating Permit(s) to incorporate Revision 7 of the 40 CFR Part 70 and Louisiana Air Permit General Conditions, dated November 9, 2000. Pursuant to LAC 33:III.529.A.2, this reopening affects only those parts of the permit for which cause to reopen exists.

C. Certification of Compliance with Applicable Requirements

Statement for Applicable Requirements for Which the Source Is In Compliance

Based on information and belief, formed after reasonable inquiry, the company and facility referenced in this application is in compliance with and will continue to comply with all applicable requirements pertaining to the sources covered by the above Part 70 Operating Permit(s) and that the information contained in the application upon which this permit is based continues to be correct.

For requirements promulgated as of the date of this certification with compliance dates effective during the permit term, I further certify that the company and facility referenced in this application will comply with such requirements on a timely basis and will continue to comply with such requirements.

CERTIFICATION: I certify, under provisions in Louisiana and United States law which provide criminal penalties for false statements, that based on information and belief formed after reasonable inquiry, the statements and information contained in this Application for Approval of Emissions of Air Pollutants, including all attachments thereto and the compliance statement above, are true, accurate, and complete.

D. Responsible Official

Name
Title
Company
Suite, mail drop, or division
Street or P.O. Box

City	State	Zip
Business phone		
Signature of responsible official(s)		
Date		